

JOHN WESLEY DUNCAN, one of the plaintiffs,
a witness of lawful age, after first being
duly sworn, deposes and says:

Questions by Mr. Sheffield:

Q. State your name and residence.

A. John Wesley Duncan, I live at 545 Pennsylvania Avenue, York,
Pennsylvania.

Questions by Mr. Shoemaker:

Q. Do you know all of the parties to this cause?

A. Yes.

Q. Who was Joseph W. Duncan and when did he die?

A. Joseph W. Duncan was my father and he died on December 18, 1944.

Q. Did he leave a Last Will and Testament?

A. No.

Q. Did you hear your sister, Nora M. Duncan Mellott, testify as to
the names of the heirs of Joseph W. Duncan?

A. Yes, I did.

Q. Were the persons she named all of the heirs of Joseph W. Duncan?

A. Yes.

Q. Did you hear Mrs. Mellott testify as to the names of the heirs
of Charles William Duncan and Olivia Virginia Duncan?

A. Yes.

Q. Did she name all of the heirs of those two persons?

A. Yes, she did.

Q. I show you three paper writings filed as Exhibit 1, Exhibit 2
and Exhibit 3 and ask you if this is the property which was
owned by Joseph W. Duncan at the time of his death?

A. Yes, it is.

Q. Where is this property located?

A. In Hauvers Election District, Frederick County, Maryland.

Q. Are you familiar with this property?

A. Yes, I am.

Q. Could this property be divided among all of the heirs without
loss or injury.

A. No.

Q. Do you think it would be to the best interest and advantage of
all of the parties that it be sold and the proceeds divided
among the parties according to their respective rights?

A. Yes.

To the General Interrogatory by Mr. Sheffield:

Nothing Further.

John W. Duncan
John Wesley Duncan